

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

No. 2:12-cv-01282-JLR

**DECLARATION OF CHRISTINA FOGG IN
SUPPORT OF UNITED STATES' MOTION
FOR TEMPORARY RESTRAINING ORDER
ENJOINING IMPLEMENTATION OF THE
DIRECTIVE ISSUED ON JULY 23, 2020**

I, Christina Fogg, declare as follows:

1. I am an Assistant U.S. Attorney for the Western District of Washington and I am counsel of record for the Plaintiff United States of America in the above-captioned matter. I am over the age of 18 and am competent to testify in court about the matters stated herein.

2. Attached as **Exhibit A** is and true and correct copy of a directive issued to Seattle Police Department officers on July 23, 2020 as received from the City Attorney's Office on that same date.

3. Attached hereto as **Exhibit B** is a true and correct copy of an email that I sent to Assistant City Attorney Kerala Cowart on July 13, 2020 providing notice of the United States'

1 position regarding Paragraph 177 of the Consent Decree and any changes to SPD policy on
2 topics covered by the Consent Decree.

3 4. Attached as **Exhibit C** is a true and correct copy of a letter drafted by Seattle
4 Police Chief Carmen Best on July 23, 2020 to Seattle City Council regarding Ordinance 119805.
5 The letter is made available on the Seattle Police Department Blotter at:

6 [https://spdblotter.seattle.gov/2020/07/23/letter-to-city-council-regarding-council-ordinance-](https://spdblotter.seattle.gov/2020/07/23/letter-to-city-council-regarding-council-ordinance-119805-crowd-control-tools-%ef%bb%bf/)
7 [119805-crowd-control-tools-%ef%bb%bf/](https://spdblotter.seattle.gov/2020/07/23/letter-to-city-council-regarding-council-ordinance-119805-crowd-control-tools-%ef%bb%bf/).
8

9 I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true
10 and correct to the best of my knowledge.
11

12 Executed this 24th day of July, 2020.

13 Respectfully submitted,

14 BRIAN T. MORAN
15 United States Attorney

16 s/ Christina Fogg
17 CHRISTINA FOGG, WSBA No. 40159
18 Assistant United States Attorney
19 United States Attorney's Office
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24 Email: Christina.Fogg@usdoj.gov
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27
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CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2020, I have electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorneys of record:

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DATED this 24th day of July, 2020, at Seattle, Washington.

s/ Brittany Cirineo

Brittany Cirineo, Legal Assistant (Contractor)